

Committee Room,
Austin, Texas, Feb. 26, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 396, A bill to be entitled "An Act to amend Section 4, Chapter 105, of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being a special road law for Jackson County, by adding thereto Section 4a, to permit the issuance of bonds by Jackson County for the purpose of funding and refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 397, A bill to be entitled "An Act to amend Section 1, Chapter 108, of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being a special road law for Wharton County, by adding thereto Section 1a, to permit the issuance of bonds by Wharton County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 206 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 392 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 394 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Town and City Corporations, to whom was referred

S. B. No. 311,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that Committee Substitute do pass in lieu thereof.

STUART, Chairman.

THIRTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
Friday, February 27, 1925.
The Senate met at 9 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hardin of Erath.	Russek.
Hardin of Kaufman	Smith.
Holbrook.	Strong.
Lewis.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.

Wirtz.
Witt.

Wood.
Woodward.

Absent—Excused.

Moore of Cooke.

Prayer by Dr. Jewett of Austin.

Pending the reading of the Journal, the same was dispensed with on motion of Senator Davis.

Senate Bill No. 343.

On motion of Senator Wirtz, S. B. No. 343 was withdrawn from Committee on State Affairs and referred to Committee on Educational Affairs.

Bills and Resolutions.

S. C. R. No. 29, A concurrent resolution.

Whereas, The Adjutant General of the State of Texas has recently reduced the number of Ranger and officers of the Ranger force, for whose support and maintenance a sufficient appropriation was made for the period ending September 1, 1925, and

Whereas, Many of the Rangers removed from the service have been in the service of the State for several years and they received but short notice of their dismissal and removal, and they find themselves as a result of such short notice, handicapped in securing other support, and the State of Texas has no desire to handicap or embarrass its former employes, and

Whereas, Many of the Rangers removed from service are now material witnesses in cases and will for some time be required to appear and testify in court at their own expense and a great financial loss to them; therefore be it

Resolved by the Senate, the House concurring, That the Adjutant General be, and he is hereby instructed to pay to the members of the Ranger force removed from the service, their salaries for period not exceeding sixty (60) days from the date of their discharge or dismissal from the service, or until such time as they secure additional employment, if secured within a shorter time than sixty days; be it further

Resolved, That the Adjutant General is hereby requested to pay to each of the discharged Rangers their salary during such time as they are called upon by the State to act as

witnesses in cases for the State, in addition to mileage and per diem allowed by law for witnesses in criminal cases.

Read first time and referred to Committee on State Affairs.

By Senators Triplett and Murphy:
S. B. No. 400, A bill to be entitled "An Act to amend Section 11, Chapter 16 of the Local and Special Laws enacted by the First Called Session of the Thirty-seventh Legislature in 1921, same being a special road law for Liberty County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Murphy:
S. B. No. 401, A bill to be entitled "An Act conferring upon counties the right of eminent domain, where land, right of way or easements are necessary to be secured for the construction of jails, courthouses, hospitals, delinquent and dependent schools, poor farms, libraries or for other public purposes, and providing for the institution of such proceedings in the name of the county, and that the assessing of damages shall be in conformity to the statutes of the State of Texas for condemning and acquiring right of way by railroads, and providing that no appeal shall cause suspension of work, and that counties shall not be required to give appeal bond or bond for costs, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Wood, et al.:
S. B. No. 402, A bill to be entitled "An Act amending Article 303 of the Penal Code of the State of Texas so as to permit the sale of gasoline and lubricants on Sunday, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Parnell:
S. B. No. 403, A bill to be entitled "An Act to amend Section 3, Chapter 81 of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session in 1915, same being a special road law for Young County, by adding thereto Section 2a to permit the issuance of

bonds by Young County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senators Wood and Parr:

S. B. No. 404, A bill to be entitled "An Act to authorize temporary and permanent guardians, of the estates of minors and other persons, to make oil, gas and mineral leases on real estate belonging to the estates of their wards, and to prescribe the manner in which such leases shall be made and repealing Chapter 119 of the Acts of the Thirty-sixth Legislature, relating to making of mineral leases by guardians approved March 24, 1919, and repealing all other laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Witt:

S. B. No. 405, A bill to be entitled "An Act creating the Crawford Independent School District in McLennan County, Texas; defining its boundaries, including the present Crawford Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, or any other law or laws that may be hereafter enacted governing independent school districts created or incorporated for free school purposes only under the General Laws of this State; providing that the present board of trustees continue in office until the expiration of their respective terms; repealing all laws in conflict, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Davis:

S. B. No. 406, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the general revenue of the State for the several institutions and departments of the State Government as named herein for the balance of the fiscal year ending August 31, 1925, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Davis:

S. B. No. 407, A bill to be entitled "An Act making appropriation to pay the salaries of the judges of the One Hundred and First and One Hundred and Second Judicial Districts, created by the passage of H. B. No. 57 and S. B. No. 149 at the regular session of the Thirty-ninth Legislature, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Bailey:

S. B. No. 408, A bill to be entitled "An Act to create Oak Grove Common School District in Arkansas County Texas, including therein the present Oak Grove Common School District No. 3 of said county; providing a board of trustees therefor, vesting said school district board of trustees with all the rights, powers, privileges and duties conferred upon common school districts incorporated under the General Laws of Texas; providing for the validation of all contracts for the maintenance of the schools of the territory herein incorporated for the current scholastic year; providing for an election to determine as to the outstanding bonded indebtedness of the territory herein incorporated, as herein set out; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Smith:

S. B. No. 409, A bill to be entitled "An Act creating Snyder Independent School District in Scurry County, Texas; defining its boundaries; including the original Snyder Independent School Districts and adding territory thereto; conferring on said district and its board of trustees all of the rights, powers, privileges, and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees thereof; validating and continuing in force the legal maintenance tax heretofore voted in a part of said district as herein created, until the legal voters shall increase, diminish, or abolish same; providing that the outstanding bonds heretofore issued by the Snyder Independent School District as

established under the General Laws shall not be impaired hereby nor shall the bonds of any district a part of whose territory is included herein be impaired hereby; providing that other territory may be added; providing for the collection of delinquent taxes; providing that in event any of the provisions of this Act shall be held ineffective that such action shall not invalidate the remaining portions hereof; providing that this Act shall be cumulative of the General Laws governing the creation and operation of independent school districts, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Woodward and Witt:
S. B. No. 410, A bill to be entitled "An Act extending the term of office of the Educational Survey Commission, created by Act of the Thirty-eighth Legislature; to provide for the completion of the work of the said commission, including the preparation of a report embodying therein bills and resolutions for presentation to the Legislature; prescribing the powers and duties of the said commission; providing for filling vacancies in the commission; making an appropriation, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Woodward:

S. B. No. 411, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than 17,000, according to the United States census of 1920, and which have an area of not less than 1,060 square miles nor more than 1,200 square miles, and which have an assessed valuation of not less than \$10,000,000 and which do not contain a city or town of more than 7,500 and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Real:

S. B. No. 412, A bill to be entitled "An Act to amend Article 4631, Chapter 4, Title 68, of the Revised Civil Statutes of Texas of 1911, providing the cases in which divorces may be granted, and repealing all laws in conflict herewith."

Read first time and referred to Committee on Civil Jurisprudence.

S. J. R. No. 20.

Senator Bailey moved that the Senate rule requiring committee reports to lay over for one day be suspended for the purpose of considering S. J. R. No. 20.

The motion was adopted.

The Chair laid before the Senate, S. J. R. No. 20, A joint resolution "Relating to the Pecos River Compact and its ratification."

The resolution was read in full and adopted, by the following vote:

Yeas—28.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Ward.
Lewis.	Wirtz.
Miller.	Witt.
Moore of Hunt.	Wood.
Murphy.	Woodward.

Absent.

Stuart. Triplett.

Absent—Excused.

Moore of Cooke.

Morning call concluded.

Senate Bill No. 221.

The Chair laid before the Senate, on second reading, as the special order for this hour, S. B. No. 221, and Senator Moore of Erath asked unanimous consent to take up, out of its order, S. B. No. 189.

There was objection.

Senator Pollard then stated that in order to hear the Lieutenant Governor on the bill, he moved that the Senate resolve into a committee of the whole to consider S. B. No. 221, the special order.

Senator Fairchild moved to suspend the special order, S. B. No. 221, and take up, out of its order, S. B. No. 189.

The motion was lost, by the following vote, a two-thirds vote being necessary:

Yeas—18.

Bailey.	Fairchild.
Berkeley.	Floyd.
Davis.	Hardin of Erath.

Hardin of Kaufman	Smith.
Miller.	Strong.
Parr.	Triplett.
Pollard.	Ward.
Price.	Wirtz.
Russek.	Wood.

Nays—10.

Bledsoe.	Murphy.
Bowers.	Parnell.
Holbrook.	Real.
Lewis.	Reid.
Moore of Hunt.	Woodward.

Absent.

Stuart.	Witt.
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Absent—Excused.

Moore of Cooke.

Action recurred on the motion of Senator Pollard to resolve into a committee of the whole to consider S. B. No. 221, and Senator Woodward moved that all the rules of the Senate be suspended and that Hon. Barry Miller, Lieutenant Governor, be invited to address the Senate on the pending business.

The Chair, Lieutenant Governor Miller, held the motion out of order.

Senator Pollard then, by request of the Chair, withdrew his motion.

After discussion, Senator Bledsoe moved that the Senate resolve into a committee of the whole to consider S. B. No. 221..

After discussion, Lieutenant Governor Miller requested that the motion be withdrawn and, if not withdrawn, that the Senate defeat the motion.

Senator Davis made the point of order as follows:

"The question is whether or not, the Senate shall resolve itself into a committee of the whole giving the Lieutenant Governor his constitutional right of appearing before the Senate sitting as a committee of the whole, parties other than the Lieutenant Governor and members of the Senate shall also have the right to address the Senate."

Lieutenant Governor Miller called President Pro Tem Wirtz to the chair, who called Senator Murphy to the chair.

Senator Bowers moved, as a substitute for the Bledsoe motion, that the Senate resolve into a committee of the whole for the purpose of considering S. B. No. 221, and that only Senators and the Lieutenant Governor be allowed to discuss the bill.

Senator Davis then withdrew his request for a ruling on his point of order.

Action recurred on the substitute motion by Senator Bowers, and the same was adopted, by the following vote:

Yeas—23.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Floyd.	Smith..
Hardin of Erath.	Stuart.
Holbrook.	Triplett.
Lewis.	Wirtz.
Miller.	Witt.
Moore of Hunt.	Wood.
Murphy.	Woodward.
Parnell.	

Nays—7.

Bailey.	Russek.
Fairchild.	Strong.
Hardin of Kaufman	Ward.
Parr.	

Absent—Excused.

Moore of Cooke.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 39, A bill to be entitled "An Act to amend Chapter 97 of the General Laws of the State of Texas passed by the Thirty-third Legislature, found on page 183 of the General Laws of the State of Texas, passed by the Thirty-third Legislature at its Regular Session amending Article 4632 of Chapter 4 of Title 68 of the Revised Civil Statutes of the State of Texas of 1911 relating to the granting of divorces."

With amendments.

S. B. No. 46, A bill to be entitled "An Act authorizing any private corporation for profit, hereafter or heretofore organized under the laws of this State, other than corporations authorized to conduct a banking or insurance business, to issue shares of its stock without nominal or par value, in such classes, with such preferences and for such consideration as may be prescribed and specifying the form of certificate for such stock; and providing for filing with

Secretary of State statement showing total shares of all stock to be issued, classes thereof and actual consideration received by the corporation for shares issued without nominal or par value; and providing for not less than ten per cent of authorized number of said shares to be subscribed and paid for; and providing for the payment to the State of filing fees and franchise tax on stock without nominal or par value and determining the basis for computing such fees and tax; and providing for constituting outstanding shares of stock with nominal or par value into shares without nominal or par value and regulating and prescribing the method thereof; exempting corporations issuing shares without nominal or par value from provisions of Articles 1125 to 1130, inclusive, and Article 1141 of Revised Civil Statutes; and providing a penalty for a refusal or failure to make and file any report or certificate required by this Act; and providing the privileges and powers of this Act shall be in addition to and not in restriction or limitation of those now conferred by law, and that invalidity of part of this Act shall not affect or impair other provisions, and declaring an emergency."

With amendments.

H. B. No. 67, A bill to be entitled "An Act to prohibit any person masked or disguised from going into any public place in a manner calculated to disturb the inhabitants thereof or from disturbing any inhabitants thereof; or from going into or near or demanding entrance or admission into any private house or church or from disturbing any inhabitant thereof; or from, in either a public or private place, permitting any assault upon any person; defining punishment for violation of this Act, and declaring an emergency."

S. B. No. 82, A bill to be entitled "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commissions of Appeals of the State of Texas as amended by Chapter 34, of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the

Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, as amended by Chapter 154 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-eighth Legislature, approved March 30, 1923, extending the term of said commission to the last Saturday in June, 1925, and providing for the appointment of judges for said extended term providing for the extension of the term of said commission from the last Saturday in June, 1925, until the last Saturday in June, 1931, for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the same, and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

With amendments.

S. B. No. 88, A bill to be entitled "An Act to amend Article 3903, Revised Civil Statutes of 1911, as amended by the Acts of the Thirty-seventh Legislature at its Regular Session, Chapter 96 of the General Laws, relating to the appointment and compensation of deputies and assistants of certain district and county officers and providing for appointment and compensation from county funds of special deputy district clerks in counties of two hundred thousand population or more and containing a city of over one hundred and sixty thousand district court, so as to provide additional compensation upon approval of the commissioners' court upon certain conditions and after certain length of service and providing for payment from fees of office only and repealing all laws in conflict herewith."

S. B. No. 104, A bill to be entitled "An Act amending Article 650b of the Revised Statutes of Texas of 1895, as enacted by the Thirtieth Legislature, Acts 1907, page 294, being Subdivision 73, Article 1121, of Title 25 of Revised Statutes of Texas of 1911, as amended by the Thirty-third Legislature, Acts 1913, page 352, so as to provide that private corporations may be created for, or, after being created, may so amend their charters, as to include two or more of the following purposes, namely: the supply of water to the public for irrigation, power, municipal or domestic purposes; the manufacture of and supply of ice, to the public; the generation of and

supply of gas, electric light and motor power to the public; the manufacture, supply and sale of carbonated water to the public; the operation of cottonseed oil mills, and the operation of cotton compresses, and removing the restrictions as to the amount of capital stock of such corporations, imposed thereby; provided, that corporations including more than one of the purposes named in this Article shall pay the franchise tax provided by law for each of the purposes so included in their said charters, or amendments thereto."

S. B. No. 105, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State, which have adopted charters or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, 1913, and validating all proceedings had by city councils or city commissions, or other governing authority, of said cities, in regard to the question of the adoption of charters or amendments thereto, and declaring an emergency."

S. B. No. 141, A bill to be entitled "An Act to authorize J. P. Dod to write and sign in duplicate the field notes for each of the subdivision field notes of the excess land recovered by the State of Texas in Dallam and Hartley Counties from Capitol Freehold Land and Investment Company, Limited, et al., in the Fifty-third District Court of Travis County on April 26, 1924, as said surveys were made on the ground by R. S. Dod, deceased, under appointment of the Commissioner of the General Land Office, and adopting same as the legal survey, making an appropriation for compensating said Dod for writing said field notes and duplicates, and providing that when the original and duplicate field notes are filed in the General Land Office and in said counties they shall have the same force and effect as if they had been written and signed by the said original surveyor, R. S. Dod, or a county surveyor, and declaring an emergency."

H. B. No. 220, A bill to be entitled "An Act amending Section 39, under Section 1 of H. B. No. 136, being Chapter 168 of the General Laws passed at the Regular Session of the Thirty-eighth Legislature, relative to public

roads and highways, so as to except and exempt from the said chapter, and the county of Bowie, Texas."

H. B. No. 252, A bill to be entitled "An Act creating and establishing Rotan Independent School District, in Fisher County, Texas; defining and describing it by metes and bounds; providing for the government thereof; providing for it to assume the outstanding school contracts and indebtedness applicable to the territory so included; vesting in it the title to all school property situated in the territory so included; provided for the government thereof as under the General Laws applicable to towns and villages incorporated for school purposes only; providing for extension of boundaries thereof, and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act to define, regulate and license real estate brokers, real estate agents and real estate salesmen within the State of Texas, to create a State Board of Examiners to operate in conjunction with the office of the Commissioner of the General Land Office, and providing for the appointment of such examiners and fixing their qualifications of real estate brokers, real estate agents and salesmen before receiving license, and providing for certain license fees to be paid by each applicant for real estate license, and also providing for the giving of bond for the protection of the public from fraud and misrepresentation by such real estate broker, salesman or agent, and providing for the revoking of license by the State Board of Examiners and stating the grounds for such action, and to provide a penalty for the violation of the provisions hereof. Repealing all laws in conflict herewith, and providing that the invalidation by the courts of any section or provision of this Act shall not invalidate any other provision hereof."

By striking out the enacting clause. Postponed indefinitely.

H. B. No. 68, A bill to be entitled "An Act to amend Chapter 26, Acts of the Regular Session of the Thirty-second Legislature, as amended in Chapter 36 of the Acts of the Thirty-fourth Legislature, Regular Session, providing for the election of a county board of trustees in each county of the State, prescribing the qualifications, term of office and method of election of county trustees, defining the duties and powers of the county board of

trustees and of subordinate school officials employed by the said board in the administration of the public free school under their jurisdiction, repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

H. C. R. No. 21, relative to approval and ratification of Pecos River compact.

S. B. No. 392, A bill to be entitled "An Act creating a special road law for Van Zandt County."

S. B. No. 394, creating the Benavides Independent School District.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Senate Bill No. 46.

Senator Holbrook moved that the Senate do not concur in the House amendments to S. B. No. 46, and requested the appointment of a free conference to adjust the differences.

The motion was adopted.

Later the Chair appointed the following, on part of the Senate, on the committee: Senators Holbrook, Bailey, Bowers, Wirtz and Ward.

In Committee of the Whole.

In accordance with the motion adopted the Senate accordingly resolved into a committee of the whole.

In the Senate.

The Senate reconvened at 12 m. as a session of the Senate, and Senator Strong, chairman of the committee of the whole, reported to the Senate that the committee had made progress.

Recess.

On motion of Senator Ward the Senate recessed until 2 o'clock p. m. today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

Senate Bill No. 39.

Senator Davis called up S. B. No. 39 and moved that the Senate do not concur in the House amendments to S. B. No. 39 and requested the appointment of conference committee to adjust the differences between the two Houses.

The motion was adopted.

The Chair appointed the following Senators, on part of the Senate, Murphy, Witt, Woodward and Strong.

In Committee of the Whole.

The Senate here resolved into a committee of the whole to consider S. B. No. 221, with Senator Strong as chairman.

In the Senate.

The Senate resolved into a session of the Senate, with Lieutenant Governor Miller in the Chair, and reported to the Senate that the Committee of the Whole had instructed the chairman, Senator Strong, to report that the committee adopted the minority, adverse, committee report to S. B. No. 221, by a vote of 20 yeas and 8 nays, which report was made to the Senate.

The report of the Committee of the whole was adopted.

Messages from the House.

Hall of the House of Representatives, Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

S. B. No. 115, A bill to be entitled "An Act to amend Title 8, Chapter 7 of the Code of Criminal Procedure of the State of Texas of 1911, by adding thereto Article 787a, providing that no evidence obtained by any officer or person by the violation of any provision of the Constitution of the State of Texas, shall be admitted in evidence against the accused on the trial of any criminal case, and declaring an emergency."

H. C. R. No. 22, Requesting the Governor to return H. B. No. 249.

H. B. No. 477, A bill to be entitled "An Act to empower cities having more than five thousand (5,000) inhabitants to purchase or otherwise acquire light systems and water systems, and additions, extensions and enlargements thereto, and additional water powers, riparian rights, and repairs of such systems; to issue bonds or notes therefor, and to secure payment thereof to mortgage and encumber the same and the incomes thereof, and everything pertaining thereto, or any part thereof; and to grant to any purchaser under any sale or foreclosure a franchise to operate the same for not over twenty years after such purchase; prescribing the powers and limiting the manner of their exercise; pro-

viding for a board of trustees to carry out any contract or encumbrance; providing for the election of a trustee and his successor to make sale on default in payment; prescribing the method of foreclosure, and giving such cities the option to include or exclude any of such property from such encumbrance; prohibiting the sale of such systems unless authorized by majority vote of the qualified property taxpayers, or under the terms of such encumbrances; and prohibiting the encumbrance of such systems except for purchase money, original cost, or to refund existing indebtedness, unless authorized in like manner; approving all proceedings heretofore had in the acquisition of any such systems, and the encumbrance of same within the authority given by this Act, and declaring an emergency."

S. B. No. 214, A bill to be entitled "An Act making appropriations to pay the salaries of members and employes, and other maintenance expenses of the State Board of Pardon Advisors for the eight-month period beginning January 1, 1925, and ending August 31, 1925, and declaring an emergency."

H. B. No. 535, A bill to be entitled "An Act to amend Section 20, Chapter 118, Special Laws, passed at the Regular Session of the Thirty-fifth Legislature, the same being a special road law for Cherokee County, Texas; providing the method of handling funds derived from road district bonds, and declaring an emergency."

The House grants the request of the Senate for a Free Conference Committee on S. B. No. 39, and the following committee is appointed on part of the House: Dielman, Farrar, Barron, Frnka, Parrish.

The House grants the request of the Senate for a Free Conference Committee on S. B. No. 46, and the following committee is appointed on part of the House: Sinks, Hall, Sanford, Wade, Barron.

The House refuses to concur in Senate amendments to H. B. No. 101 and requests the appointment of a Free Conference Committee to adjust the differences. The following committee is appointed on part of the House: Laird, Wester, Amsler, Westbrook, Runge.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bills on First Readings.

The following House Bills were laid before the Senate, read severally first time and referred to appropriate committees:

H. B. No. 220, referred to Committee on State Highways and Motor Traffic.

H. B. No. 68, referred to Committee on Criminal Jurisprudence.

H. B. No. 252, referred to Committee on Educational Affairs.

H. B. No. 477, referred to Committee on Towns and City Corporations.

H. B. No. 535, referred to Committee on State Highways and Motor Traffic.

H. C. R. No. 221, referred to Committee on Civil Jurisprudence.

H. C. R. No. 22.

The Chair laid before the Senate, H. C. R. No. 22, a resolution requesting the Governor to return to the House H. B. No. 249.

The resolution was read and adopted.

Special Orders.

On motion of Senator Hardin of Erath all bills relating to the creation of the several courts of civil appeals were set as a special order for Tuesday morning at 10 o'clock.

S. B. No. 82—House Amendments Ordered In.

Senator Fairchild called up S. B. No. 82, and moved that the Senate concur in the House amendments to S. B. No. 82.

The amendments were read.

The motion to concur was adopted.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

S. B. No. 38.

S. B. No. 394.

S. B. No. 88.

S. B. No. 141.

S. B. No. 392.

S. B. No. 105.

S. B. No. 104.

H. B. No. 324.

H. B. No. 401.

H. B. No. 385.

H. B. No. 354.

H. B. No. 295.

H. B. No. 38.

H. B. No. 32.

H. C. R. No. 22.

Adjournment.

At 5 o'clock p. m. the Senate adjourned until 10 o'clock Tuesday morning.

APPENDIX.**Committee Reports.**

Committee Room,

Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 358, A bill to be entitled "An Act creating a State Bureau of Criminal Identification and Investigation."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Health to whom was referred

S. B. No. 389, A bill to be entitled "An Act prohibiting the establishment and maintenance of cemeteries near incorporated towns or cities, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BERKELEY, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 71,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the Committee substitute pass in lieu thereof.

FLOYD, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 406, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the general revenue of the State for the several institutions and departments of the State Government as named herein for the balance of the fiscal year ending August 31, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DAVIS, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 407, A bill to be entitled "An Act making appropriation to pay the salaries of the judges of the One Hundred and First and One Hundred and Second Judicial Districts, created by the passage of H. B. No. 57 and S. B. No. 149 at the Regular Session of the Thirty-ninth Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 230, A bill to be entitled "An Act making an appropriation for the purchase of certain lands for the College of Industrial Arts at Denton, Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DAVIS, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 66, A bill to be entitled "An Act making an emergency appropriation for the South Texas

Teachers' College at Kingsville, and made necessary by the near approach of the time for the opening of the summer session of said college for the year 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 98, A bill to be entitled "An Act making an appropriation to carry into effect the provisions of Chapter 41, General Laws of the First Called Session of the Thirty-seventh Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 400, A bill to be entitled "An Act to amend Section 11, Chapter 16, of the Local and Special Laws enacted by the First Called Session of the Thirty-seventh Legislature in 1921, same being a special road law for Liberty County, by adding thereto Section 11a, to permit the issuance of bonds by Liberty County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FLOYD, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 401, A bill to be entitled "An Act conferring upon counties the right of eminent domain where land, right-of-way or easements are necessary to be secured for the construction of jails, courthouses, hospitals, delinquent and dependent schools, poor farms and libraries, or for other public purposes, and providing for the institution of such proceedings in the name of the county, and that the assessing of damages shall be in conformity to the statutes of the State of Texas for condemning and acquiring right-of-way by railroads, and providing that no appeal shall cause suspension of work, and that counties shall not be required to give appeal bond or bond for costs, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

Wirtz, Chairman; Parnell, Floyd, Davis, Parr, Russek, Miller, Triplett, Woodward, Wood.

Committee Room,
Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 402, A bill to be entitled "An Act amending Article 303 of the Penal Code of the State of Texas so as to permit the sale of gasoline and lubricants on Sunday, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WARD, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. J. R. No. 20, A joint resolution "Relative to the approval and ratification of the Pecos River compact between the State of Texas and New Mexico."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed in bill form, but be printed in the Journal.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 265 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 264 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 105 carefully examined and compared, and find same correctly enrolled, and have this day at 2:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 394 carefully examined and compared, and find same correctly enrolled, and have this day at 2:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 392 carefully examined and compared, and find same correctly enrolled, and have this day at 2:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 104 carefully examined and compared, and find same correctly enrolled, and have this day at 2:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 141 carefully examined and compared, and find same correctly enrolled, and have this day at 2:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 88 carefully examined and compared, and find same correctly enrolled, and have this day at 2:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 38 carefully examined and compared, and find same correctly enrolled, and have this day at 10:30 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

THIRTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, March 3, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names: .

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	